

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LLOYD GILPIN,

Defendant.

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8:05CR171

ORDER

On June 24, 2005, defendant filed an unopposed Motion to Continue Trial (#15). Apparently, all counsel in this case are scheduled "to be in trial in another courtroom." I note that the current June 28, 2005 trial date was set approximately four (4) weeks ago, at which time the parties were specifically ordered that any motions for a continuance of the trial date "shall be electronically filed on or before **June 13, 2005**." The trial order also advised that a defense motion for continuance must be accompanied by a waiver of speedy trial. Unfortunately, defense counsel failed to comply with either of these simple requirements.

IT IS ORDERED that defendant's MOTION TO CONTINUE TRIAL (#16) is held in abeyance pending compliance with NECrimR 12.1. Defendant shall file the required waiver before the close of business on **June 30, 2005**.

DATED June 27, 2005.

BY THE COURT:

**s/ F.A. Gossett
United States Magistrate Judge**